IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.422 OF 2005

Dr.Smt.Rajalaxmi Vishnu Barve .. Petitioner.

v/s.

The Shivaji University, through
Registrar, Shivaji University,
Kolhapur & ors. .. Respondents.

Mr.S.G.Deshmukh for petitioner.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 18th March, 2005

P.C.

Heard Mr.S.G.Deshmukh, the learned counsel for the petitioner. We also perused the order passed by the Presiding Officer, Pune/Shivaji University and College Tribunal.

2. It is true that in the year 1998, the petitioner was appointed as Lecturer in Sociology. However that appointment was purely temporary and its tenure was one academic year. Similarly, by the fresh appointment, the petitioner was appointed as Lecturer in Sociology in the year 1999 as well but that too was purely temporary appointment for one academic year. In the subsequent year 2000, the petitioner was again appointed as Lecturer in Sociology on purely temporary basis for one academic year. Similarly for the years 2001 and 2002, the

petitioner was appointed temporarily for the concerned academic year each. It appears that there were three posts vacant for Lecturers in Sociology. Two posts were to be filled in from amongst the open category candidates and one post was for the reserved category. By regular process of selection, candidates found suitable were appointed for all the three posts. The contention of the petitioner is that the petitioner having been appointed as Lecturer in previous academic years, he ought to have been made permanent against one post. We do not find any merit in the contention of the petitioner. The appointment of the petitioner in the earlier years seems to be under section 77 of the Maharashtra Universities Act and not under section 76 as sought to be contended.

3. We do not find any infirmity in the consideration of the matter by the College Tribunal. No case for invocation of writ jurisdiction is made out. Dismissed in limine.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)